

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION**

**MID-PACIFIC REGION**

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE  
FRESNO, CALIFORNIA**

**FINDING OF NO SIGNIFICANT IMPACT**

**POSO CREEK WATER COMPANY, LLC EXECUTION OF TEMPORARY WATER  
SERVICE CONTRACT AND BANKING AND EXCHANGE OF SECTION 215 WATER AT  
SEMITROPIC WATER STORAGE DISTRICT**

**Central Valley Project  
Sacramento, California**

**FONSI-08-26**

Recommended by:

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In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of the groundwater banking, recovery and exchange as well as the execution of temporary water service contracts are not a major federal actions that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-08-26, *Poso Creek Water Company, LLC Execution of Temporary Water Service Contract and Banking and Exchange of Section 215 Water at Semitropic Water Storage District*, and is hereby incorporated by reference.

**BACKGROUND**

Reclamation has determined that unusually large water supplies may result from winter hydrology in some years such that future restricted storage capacity in Millerton Lake may create a non-storable supply of water pursuant to Section 215 of the Reclamation Reform Act of 1982 (Section 215 water.) This water supply may be offered to non-CVP contractors via temporary water service contracts.

Poso Creek Water Company, LLC (a California Mutual Water Company "Poso Creek, LLC") has entered into a long-term banking agreement with Semitropic, dated April 23, 2007, in which Poso Creek, LLC is a full banking partner invested at 60,000 acre-feet (AF) of guaranteed storage capacity in the Semitropic water bank. The term of this agreement runs through December 31, 2035.

Poso Creek LLC desires to maximize the beneficial use of Section 215 water by storing these supplies when available. The purpose of the project is to allow Poso Creek LLC to bank Section 215 water supplies for future delivery to meet crop demands during the next water supply shortage. Banking would maximize Poso Creek LLC's beneficial use of these Section 215 water supplies and improve their water supply reliability.

Reclamation proposes to approve execution of a series of one-year temporary Poso Creek, LLC water service contracts over a period of 18 years for receipt of up to 15,000 AF of Section 215 water from the Friant Division; the banking of the Section 215 water by Poso Creek, LLC at Semitropic; and the recovery of the banked water via an exchange.

**FINDINGS**

**Surface Water Resources:** The Proposed Action improves Poso Creek LLC's water supply reliability and operational efficiency, especially during critically dry hydrologic years. The proposed delivery of CVP water to Semitropic and the subsequent banking and return via exchange to Poso Creek LLC would occur through existing SWP, CVP, Semitropic, and Westlands Water District facilities. Poso Creek LLC would not overburden other water resources to make this water available for banking. No new facilities would be needed as a result of the Proposed Action. The Proposed Action would not interfere with the normal operations of the SWP or CVP facilities, nor

would it impede any SWP or CVP obligations to deliver water to other contractors or to local fish and wildlife habitat. Furthermore, the proposed project would not alter the quantity or timing of diversions from the Sacramento-San Joaquin Bay Delta. Neither Poso Creek LLC nor any CVP or SWP water user would be changing historic land and water management practices as a result of the Proposed Action. Therefore, the Proposed Action would cause no significant impacts to surface water resources.

**Groundwater Resources:** The Proposed Action would provide water to Poso Creek LLC in wter short years, and therefore reduce the need to pump groundwater in order to supplement potential shortages. Poso Creek LLC would not be pumping groundwater to make the CVP water available for banking. The CVP supply Poso Creek LLC desires to bank is in excess of their immediate needs and is flood flows in excess of the needs of the Friant Division.

The delivery of up to 15,000 AF of CVP water to Semitropic for in-lieu recharge will help protect the local aquifer from overdraft in the interim period and the majority of the 10% loss would be permanently left within the groundwater basin. Therefore, the Proposed Action would cause no significant impacts to groundwater water resources.

**Land Use:** Neither Poso Creek LLC nor Semitropic are changing historic land and water management practices as a result of the Proposed Action. All water would move through existing facilities and be placed on established agricultural lands. None of the banked water would be used to place any untilld or new lands into production, or to convert undeveloped land to other uses. Poso Creek LLC would not promote additional land to be farmed. Any water that is delivered to Poso Creek LLC as a result of this project would be used on established agricultural lands to help offset the annual water supply shortage faced by Poso Creek LLC and hence, reduce the annual amount of groundwater pumped or reduce annual transfers from other sources. Therefore, the Proposed Action is not expected to cause significant environmental impacts related to land use changes.

**Biological Resources:** The water delivered to lands in Poso Creek LLC will be used to irrigate crops already in cultivation. No new facilities will be required to bring the water to these locations, and no native or untilld lands will be brought into production by the Proposed Action. Orchards provide some habitat for the San Joaquin kit fox, but the habitat value is relatively small, and would not be affected by the Proposed Action.

There will be no effect on the listed salmonids and their critical habitat, on the delta smelt and its critical habitat or on the green sturgeon. The Proposed Action only addresses use and storage of water that is made available south of the Delta after it has been diverted from natural waterways and placed in man-made distribution systems (canals/reservoirs and groundwater banks). This Proposed Action has no effect on natural stream systems that comprise or contain salmonid critical habitat, nor on any stream systems that comprise the habitat of the green sturgeon. The Proposed Action will not affect the primary constituent elements of delta smelt critical habitat. As a result of the above factors, Reclamation has made a determination of no effect for this banking activity under the Endangered Species Act for all species expected to be within the action area.

**Cultural Resources:** The conveyance of CVP water would not harm any cultural resources. It would be conveyed in existing facilities and canals to established agricultural land. No excavation or construction is required to convey the water and no untilld land will be cultivated with this

water. Consequently, the undertaking is not a type of activity with the potential to affect cultural resources eligible to the National Register of Historic Places.

**Indian Trust Assets:** There are no tribes possessing legal property interests held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action, therefore ITAs are not affected by this action.

**Socioeconomic Resources:** The return delivery of CVP water to Poso Creek LLC would provide water to the area in water short years and would help sustain existing croplands in Poso Creek LLC. Businesses rely on these crops to maintain jobs. The Proposed Action would not induce population growth within Poso Creek LLC, nor would seasonal labor requirements change. Agriculturally dependent businesses would not be affected by the Proposed Action. No adverse effects on public health and safety would occur. The Proposed Action would not have highly controversial or uncertain environmental effects or involve unique or unknown environmental risks. The Proposed Action would continue to support the economic vitality in the region. Semitropic and Poso Creek LLC are responsible for managing water for the benefit of agriculture, since they exist to support growers within their respective districts. Maximizing the use of operational exchanges is beneficial to local economic conditions and agricultural employment.

**Environmental Justice:** The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease. The Proposed Action would not disproportionately impact economically disadvantaged or minority populations. No impacts relevant to Environmental Justice are anticipated because the project does not include any construction or development of project facilities, or any change in operations that would affect the general public.

**Cumulative Impacts:** The Proposed Action will allow Poso Creek LLC to bank available temporary flood flows for future delivery to meet crop demands during years of insufficient water supply. This project will reduce Poso Creek LLC dependence upon groundwater resources during hydrologic years when the banked water is returned. The proposed action has no known adverse cumulative impacts on the environment when considered with other past, present, or reasonably foreseeable future actions. Approval would not have highly controversial or uncertain environmental effects or involve unique or unknown environmental risks. Approval of the project is not related to other actions with individually minor but cumulatively significant environmental effects.